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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,017	07/16/2003	David Heller	APL1P288/P3054	1693
22434	7590	11/13/2006	EXAMINER	
BEYER WEAVER & THOMAS, LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			MEUCCI, MICHAEL D	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,017

Applicant(s)

HELLER ET AL.

Examiner

Michael D. Meucci

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the request for reconsideration filed 30 August 2006.

Specification

2. The amendment filed 04 August 2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: the deletion of "carrier waves" from paragraph [0055] of the specification changes the scope of the claims by narrowing the definition of a computer readable medium.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 4-9, 11-12, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Groos III et al (U.S. 20020026446) and Steele et al. (U.S. 7,016,877 B1).

a. In regards to claim 1, Kent teaches of: (a) accessing, by a second application program, a data communication file provided by a first application program (p. 267, lines 1-2); producing a user interface on the display using data internal to the data communication file (p. 267, fig. 1 9.1);(c) receiving a user selection with respect to the user interface (p. 268, line 4); (d) identifying a media content file associated with the user selection (p. 268, line 4); (e) associating a media content file identified by the user selection to the second application program (p. 268, lines 5-6). Kent does not explicitly teach of utilizing a database and the data communication file being derived from the database data. In an analogous art, Groos III teaches of utilizing database data and the data communication file being derived (obtained) from the database data such that data internal to the data communication file is acquired from the database data (Paragraph [0028, 0029]). It would have been obvious to one of ordinary skill in the arts at the time of invention to incorporate the above teachings because the inventions are analogous art (file sharing system). One of ordinary skill in the arts at the time of invention would have been motivated for the reasons discussed by Groos (Paragraph [0003-0005]). Kent does not explicitly teach the data being of a proprietary format not understood by the second application program. However, Steele discloses: "The data elements in such data files can be shared using specialized applications for filtering data out of the data file and into another application. However, such systems typically require a permanent download of proprietary data management software that might not be compatible among different devices," (lines 16-21 of column 2). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have

the data being of a proprietary format not understood by the second application program. "[T]here is a further need for a convenient and secure system for automating the management of consumer information," (lines 7-9 of column 2 in Steele). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have the data being of a proprietary format not understood by the second application program in the system as taught by Kent.

b. With respect to claim 2, Kent discloses that the data within the data communication file includes a link to the media content file (p. 268, line 4).

c. With respect to claim 4, Kent discloses that said associating (e) comprises presenting the media content file at the computer system (p. 268, lines 5-6).

d. With respect to claim 5, Kent discloses that said associating (e) comprises playing or displaying, within the second application program on the computer system, media content from the media content file (p. 268, lines 5-6).

e. With respect to claim 6, Kent discloses that the user interface includes at least a menu of media items determined from data acquired from the data communication file provided by the first application program (pg 267, fig. 19.1).

f. With respect to claim 7, Kent discloses that the user interface is produced by the second application program (p. 267, fig. 19.1).

g. With respect to claim 8, Kent discloses that said method is performed by the second application program (p. 267, lines 1-2, fig. 19.1; p. 268, lines 4-6).

h. With respect to claim 9, Kent discloses that the data communication file is a markup language document (p. 267, line 1).

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i. With respect to claim 11, Kent discloses that data within the data communication file pertains to media items managed by the first application program (p. 267, lines 1-2).

j. With respect to claim 12, Kent discloses that the data within the data communication file includes at least media item properties and links to storage locations for media content files containing media content for the media items (p. 266, lines 20-25).

k. With respect to claim 39, Kent does not explicitly teach of the limitations. Groos teaches of wherein the first application program and the second application program operate on the same computer (fig 1, item 160), wherein the application programs are item 165, 185. See claim 1 for motivation.

5. Claims 10, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of in view of Groos III and Steele as applied above to claim 1, and further in view of Book (U.S. 2003/0223566).

a. With respect to claims 10 and 20, Kent does not explicitly disclose that the markup language document is an XML document. Book teaches that XML can be used to create a web page (par. 88, line 11). Kent and Book are analogous art because they are from the same field of endeavor of computing systems. At the time of invention, it would have been obvious to one of ordinary skill in the art that Kent's web page could be written in XML, as taught by Book. The motivation for doing so would have been to enable Kent's invention to take advantage of the human readable tags that XML

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provides. Therefore, it would have been obvious to combine Book with Kent for the benefit of human readable tags to obtain the inventions as specified in claims 10 and 20.

b. With respect to claim 41, Groos teaches of wherein the data communication file is automatically produced by the first application program (Paragraph [0028, 0029]). See claim 1 for motivation.

6. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of in view of Groos III in view of Book as applied above to claim 41, and further in view of Carter (U.S. 5987506).

With respect to claim 42, none of the above references explicitly teach of the limitations. In an analogous art, Carter teaches of the first application program automatically updates the database data communication file when the database data utilized by the first application program changes (col. 11, lines 15-35). See claim 15 for motivation.

7. Claims 3, 13-14, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of in view of Groos III as applied above to claim 1, and further in view of Griner (U.S. 6,614,729).

a. With respect to claim 3, Kent discloses that the media content file is useable by the user's browser (p. 268, lines 5-6), however Kent does not explicitly disclose that the media content file is stored in the data storage device by the first

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application program. Griner teaches that it is known that an application can create and save media files in a directory (col. 6, lines 53-58). Kent and Griner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own media files. Therefore, it would have been obvious to combine Kent with Griner for the benefit of user created content to obtain the invention as specified in claim 3.

b. With respect to claim 13, Kent does not explicitly disclose that said producing (b), said receiving (c), said identifying (d) and said associating (e) are each able to be performed regardless of whether the first application program is being executed by the computer system. Griner teaches that it is known that an application can create and save media files in a directory (col. 6, lines 53-58). Kent and Griner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. One of ordinary skill in the art would recognize that once a file is created and saved by an application, that application does not have to be running on the computer in order for that file to be transmitted to another computer. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own

media files and allow them to be transmitted to other computers. Therefore, it would have been obvious to combine Kent with Griner for the benefit of transmitting user created content to obtain the invention as specified in claim 13.

c. With respect to claim 14, Kent discloses that the user's application program is an image or video manager and viewer (p. 267, fig. 19.1), however Kent does not explicitly disclose that said first application program is a music manager and player. Griner teaches an audio editing program that is capable of creating audio files and saving them in a specified location (col. 6, lines 53-58). Kent and Griner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own media files. Therefore, it would have been obvious to combine Kent with Griner for the benefit of user created content to obtain the invention as specified in claim 14.

d. With respect to claim 40, Griner teaches of the first application program is a media management application (col. 6, lines 53-58). See claim 14 for motivation.

8. Claims 15, 17-19, 21-22, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent (The Complete Idiot's Guide to the Internet) in view of Carter et al. and Steele et al.

a. With respect to claim 15, Kent teaches of: computer program code for accessing, by a second program, a data communication file provided by a first program (p. 267, lines 1-2); computer program code for producing a user interface using data from the data communication file (p. 267, fig. 19.1); computer program code for receiving a user selection with respect to the user interface (p. 268, line 4); computer program code for identifying a media content file associated with the user selection (p. 268, line 4). And computer program code for associating a media content file identified by the user selection to the second program (p. 268, lines 5-6). Kent does not explicitly teach of a data communication file that is automatically produced. In an analogous art, Carter teaches of automatically creating a data communication file (col. 23, lines 15-20). It would have been obvious to one of ordinary skill in the arts to incorporate the above teachings because the inventions are analogous art (relates to remote accessing of data). One of ordinary skill in the arts at the time of invention would have been motivated because the above modifications would result in an improved fault tolerant network systems, which is desirable as discussed by Carter (col. 2, lines 40-65). Kent does not explicitly teach the data being of a proprietary format not understood by the second application program. However, Steele discloses: "The data elements in such data files can be shared using specialized applications for filtering data out of the data file and into another application. However, such systems typically require a permanent download of proprietary data management software that might not be compatible among different devices," (lines 16-21 of column 2). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have

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the data being of a proprietary format not understood by the second application program. “[T]here is a further need for a convenient and secure system for automating the management of consumer information,” (lines 7-9 of column 2 in Steele). It is for this reason that one of ordinary skill in the art at the time of the applicant’s invention would have been motivated to have the data being of a proprietary format not understood by the second application program in the system as taught by Kent.

b. With respect to claim 17, Kent discloses that said computer program code for associating comprises presenting the media content file at the computer system (p. 268, lines 5-6).

c. With respect to claim 18, Kent discloses that the user interface includes at least a list of media items determined from data acquired from the data communication file provided by the first application program (p. 267, fig. 19.1).

d. With respect to claim 19, Kent discloses that the data communication file is a markup language document (p. 267, line 1).

e. With respect to claim 21, Kent discloses that data within the data communication file pertains to media items managed by the first application program (p. 267, lines 1-2).

f. With respect to claim 22, Kent discloses that the data within the data communication file includes at least media item properties and links to storage locations for media content files containing media content for the media items (p. 266, lines 20-25).

g. With respect to claim 26, Kent discloses that the data communication file is stored on the first computer system, the second computer system, or another computer system (p. 267, lines 1-2).

9. Claims 16, 23-25, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of in view of Carter as applied above to claim 15, and further in view of Carter et al.

a. With respect to claim 16, Kent discloses that the data within the data communication file includes a link to the media content file (p. 268, line 4) and that the media content file is useable by the second application program (p. 268, lines 5-6). Kent does not explicitly disclose that the media content file is stored by the first application program. Griner teaches that it is known that an application can create and save media files in a directory (col. 6, lines 53-58). Kent and Griner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own media files. Therefore, it would have been obvious to combine Kent with Griner for the benefit of user created content to obtain the invention as specified in claim 16.

b. With respect to claim 23, Kent discloses that said computer program code for producing, said computer program code for receiving, said computer program code

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for identifying and said computer program code for associating are part of the second application program (p. 267, lines 1-2, fig. 19.1; p. 268, lines 4-6). Kent does not explicitly disclose that each of the above are able to be performed regardless of whether the first application program is being executed by the computer system. Griner teaches that it is known that an application can create and save media files in a directory (col. 6, lines 53-58). Kent and Griner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. One of ordinary skill in the art would recognize that once a file is created and saved by an application, that application does not have to be running on the computer in order for that file to be transmitted to another computer. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own media files and allow them to be transmitted to other computers. Therefore, it would have been obvious to combine Kent with Griner for the benefit of transmitting user created content to obtain the invention as specified in claim 23.

c. With respect to claim 24, Kent discloses that the user's application program is an image or video manager and viewer (p. 267, fig. 19.1). Kent also discloses that the data communication file is stored on any of a first application program, a second application program, or a third application program 9p. 267, lines 1-2). Kent does not explicitly disclose that said first application program is a music

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manager and player. Griner teaches an audio editing program that is capable of creating audio files and saving them in a specified location (col. 6, lines 53-58). Kent and Griner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own media files. Therefore, it would have been obvious to combine Kent with Griner for the benefit of user created content to obtain the invention as specified in claim 24.

d. With respect to claim 25, Kent discloses that the user's application program executes on the user's computer to obtain files from a separate computer (p. 263, lines 10-11; pg 267, fig. 19.1), however Kent does not explicitly disclose a first application program that executes on a first computer system. Griner teaches that it is known that an application can create and save media files in a directory (col. 6, lines 53-58). Kent and Griner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own media files. Therefore, it would have

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been obvious to combine Kent with Griner for the benefit of user created content to obtain the invention as specified in claim 25.

10. Claims 10 and 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of in view of Carter and Steele as applied above to claim 15, and further in view of Book (U.S. 2003/0223566).

Book teaches that XML can be used to create a web page (par. 88, line 11). Kent and Book are analogous art because they are from the same field of endeavor of computing systems. At the time of invention, it would have been obvious to one of ordinary skill in the art that Kent's web page could be written in XML, as taught by Book. The motivation for doing so would have been to enable Kent's invention to take advantage of the human readable tags that XML provides. Therefore, it would have been obvious to combine Book with Kent for the benefit of human readable tags to obtain the inventions as specified in claims 10 and 20.

11. Claims 27-31, 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Griner (U.S. 6,614,729) and Steele.

a. With respect to claim 27, Kent discloses a computer that has stored thereon a plurality of files pertaining to media items (p. 263, lines 5-7) and a communication file that includes at least a portion of the media information of the stored media files (p. 265, lines 25-26; p. 267, lines 1-2). Kent also discloses a data storage device that stores the communication file and a media content file for each of a plurality

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of media items (p. 263, lines 5-7; a server must have a storage device in order to store media content files), and an application program that presents a user interface using at least a portion of the media information acquired from the communication file (p. 267, fig. 19.1). Kent does not explicitly disclose a first application program that creates and saves the plurality of files pertaining to media items. Griner discloses that it is known that an application can create and save media files in a directory (col. 6, lines 53-58). Kent and Gdner are analogous art because they are both from the same field of endeavor of utilizing electronic audio files. At the time of invention, it would have been obvious to one of ordinary skill in the art that a computer serving media files over FTP could have an application capable of creating and saving the media files. The motivation for this arrangement would have been to allow the user of the computer serving media files over FTP to be able to create his or her own media files. Therefore, it would have been obvious to combine Kent with *Griner* for the benefit of user created content to obtain the invention as specified in claim 27. Kent does not explicitly teach the data being of a proprietary format not understood by the second application program. However, Steele discloses: "The data elements in such data files can be shared using specialized applications for filtering data out of the data file and into another application. However, such systems typically require a permanent download of proprietary data management software that might not be compatible among different devices," (lines 16-21 of column 2). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have the data being of a proprietary format not understood by the second application program. "[T]here is a further need for a

convenient and secure system for automating the management of consumer information," (lines 7-9 of column 2 in Steele). It is for this reason that one of ordinary skill in the art at the time of the applicant's invention would have been motivated to have the data being of a proprietary format not understood by the second application program in the system as taught by Kent.

b. With respect to claim 28, Kent further discloses that said second application program receives a user selection with respect to the user interface, thereby selecting at least one media item (p. 268, line 4).

c. With respect to claim 29, Kent further discloses that said second application program plays or displays media content from the media content file for the selected media item (p. 268, lines 5-6).

d. With respect to claim 30, Kent further discloses that said second application program makes use of the media information from the communication file or media content from the media content file for the selected media item (p. 268, lines 5-6).

e. With respect to claim 31, Kent further discloses that the communication file is a markup language document (p. 267, lines 1-2).

f. With respect to claim 33, Kent further discloses that the user interface includes at least a list of certain of the media items affiliated with the first media database (p. 267, lines 1-2, fig. 19.1).

g. With respect to claim 34, Kent further discloses that the list is a menu (p. 267, fig. 19.1).

h. With respect to claim 35, Kent further discloses that said data storage device further stores data forming the first media database (p. 263, lines 5-7).

12. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Griner and Steele as applied to claim 27 above, further in view of Book.

Kent does not explicitly disclose that the markup language document is an XML document. Book teaches that XML can be used to create a web page (par. 88, line 11). Kent, Griner, and Book are analogous art because they are all from the same field of endeavor of computing systems. At the time of invention, it would have been obvious to one of ordinary skill in the art that Kent's web page could be written in XML, as taught by Book. The motivation for doing so would have been to enable Kent's invention to take advantage of the human readable tags that XML provides. Therefore, it would have been obvious to combine Book with Kent and Griner for the benefit of human readable tags to obtain the invention as specified in claim 32.

13. Claims 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Griner and Steele as applied to claim 27 above, and further in view of Kronick (Netscape Navigator).

With respect to claims 36 and 37, Kent and Griner do not explicitly disclose that said first application program updates the communication file whenever the first media database is updated or changed. Kronick teaches that pressing reload in a browser will update the markup language file to include any changes or updates to the page (p. 112,

lines 1-7). Kent, Griner, and Kronick are analogous art because they are all from the same field of endeavor of computing systems. At the time of invention, it would have been obvious to a person of ordinary skill in the art that if a user of Kent's invention were to press the browser's reload button, an updated list of the files available on the FTP server would appear in the browser window. The motivation behind this would have been to enable the user to be sure that he or she is viewing the most up-to-date list of files available. Therefore it would have been obvious to combine Kronick with Kent and Griner for the benefit of up-to-date information to obtain the inventions as specified in claims 36 and 37.

14. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kent in view of Griner and Steele as applied to claim 27 above, and further in view of Buswell (U.S. 6,836,885).

Kent and Griner do not explicitly disclose that said first application program updates the communication file when a user interface window associated with the first application program is context switched into a foreground position. Buswell teaches that it is known to refresh the information in a window when the window is switched to the foreground (col. 4, lines 15-17). Kent, Griner, and Buswell are analogous art because they are all from the same field of endeavor of computing systems. At the time of invention, it would have been obvious to one of ordinary skill in the art to allow Kent's invention to update the file list information in the browser window when the window is switched to the foreground, as taught by Buswell. The motivation for doing would have

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been to enable the user to be sure that he or she is viewing the most up-to-date list of files available. Therefore it would have been obvious to combine Buswell with Kent and Griner for the benefit of up-to-date information to obtain the invention as specified in claims 38.

Response to Arguments

15. Applicant's arguments filed 04 August 2006 have been fully considered but they are not persuasive.

16. (A) Regarding claim 1, the applicant contends that the web page file in Kent is not derived from database data in a proprietary format. This limitation is newly claimed and has been considered but is moot in view of the new ground(s) of rejection.

17. (B) Regarding claim 1, the applicant contends that Groos does not teach any sort of derivation of a data communication file from database data. The examiner respectfully disagrees.

As to point (B), the examiner points to paragraph [0029] on page 2 of Groos which discloses: "A request file contain the commands and/or instructions for carrying out pre-defined, allowable tasks on the host computer 80 responsive to a request from a web user. In turn, a response file 157 contains data, generated from the host computer 80, that is responsive to a processed request file. Other types of databases, including but not limited to flat-file, hierarchical, relational, and object-oriented databases may

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also be used to hold the commands, instructions, and data that the web application 165 provides and retrieves through the request and response files 153, 157, respectively." It is quite clear from this recitation in Groos that the reference in fact does teach deriving the data communication file from database data. The generation of a response file containing data from the database in response to the request clearly shows such. Accordingly, the rejection remains proper and is maintained by the examiner.

18. (C) The applicant's remaining arguments pertain to points (A) and (B) above.

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

George et al. (U.S. 7,024,471 B2) discloses updating system with application specific support including shared file systems.

Araujo et al. (U.S. 7,111,060 B2) discloses centralized virtual office environment including application and file sharing.

Hoffman et al. (U.S. 2006/0101145 A1) discloses sharing media files across multiple applications.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Meucci at (571) 272-3892. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached at (571) 272-3868. The fax phone number for this Group is 571-273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.meucci@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record

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includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BEATRIZ PRIETO
PRIMARY EXAMINER